

## REMARKS

The Final Office Action mailed January 31, 2008, has been received and reviewed. Claims 1-11 are currently pending in the application. Claims 1-4 are allowed. Claims 5-11 stand rejected. Applicants have amended no claims and respectfully request reconsideration of the application as remarked herein.

### **35 U.S.C. § 102 Anticipation Rejections**

#### Anticipation Rejection Based on Nguyen (US 2007/0214482).

Claims 5-11 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent Application No. 2007/0214482 to Nguyen (“Nguyen”).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131 (Aug. 2001) (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Id.* (*quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1051, 1053 (Fed. Cir. 1987)). In addition, “the reference must be enabling and describe the applicant’s invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that claims 5-11 **cannot** be anticipated by Nguyen because the reference does not disclose all the claim limitations of the presently claimed invention as set forth above. Generally, Applicants’ invention as claimed in independent claims 5 and 7 recites, in part, an SDP message *interleaved* with broadcast content. In contrast, Nguyen clearly discloses the SDP message traversing a first link and the broadcast content traversing an independent second link. Therefore, such a disclosure of Nguyen makes it clearly infeasible for an SDP message to be *interleaved* with broadcast content.

Specifically, Applicants submit that Nguyen does not disclose at least the claim limitation of “receiving in a transmission a session description protocol (***SDP***) message

*interleaved with a broadcast session* on a broadcast channel”, as claimed in Applicants’ independent claims 5 and 7. Furthermore, Nguyen unequivocally discloses either the SDP file is external and traverses over link 515 or is internal to the media generation system 200. In either embodiment, the SDP message of Nguyen is consumed within the media generation system and does not traverse therefrom. Specifically, Nguyen discloses:

In a preferred embodiment, ... In the architecture 500, the ***SDP file is located at a protocol file source 510 and is transmitted to the media generation system 200 via the link 515.*** (Nguyen, [0026]; emphasis added).

In some embodiments, the ***media signal generator 200*** may be linked to protocol file source 510 or ***directly include the protocol file source 510.*** (Nguyen, [0026]; emphasis added).

[T]he ***media generation system 200*** includes software for ***parsing the SDP file*** to determine how to generate the media event. (Nguyen, [0026]; emphasis added).

The ***SDP file enables the media generation system 200 to process/generate the media event*** while the user navigates the Web based interface to a different page where the new page may or may not refer to the pending media event. (Nguyen, [0026]; emphasis added).

Nguyen then unequivocally discloses the path of the broadcast content to the media generation system 200 is over link 525. Specifically, Nguyen discloses:

The ***media signal generator 520 may generate the media signal and communicate the signal to the media generation system 200 via a link 525.*** (Nguyen, [0024]; emphasis added).

Therefore, since Nguyen’s SDP message and broadcast content do not traverse over a common link, Nguyen **cannot** anticipate Applicants’ invention as presently claimed. Accordingly, Applicants respectfully assert that since Nguyen does not disclose **all** of the limitations of Applicants’ invention as claimed, Nguyen **cannot** anticipate under 35 U.S.C. § 102 Applicants’ invention as claimed in independent claims 5 and 7 and claims 6 and 8-11 depending therefrom. Therefore, Applicants respectfully request that the rejections be withdrawn.

### **Allowable Subject Matter**

Applicants respectfully acknowledge the allowance of claims 1-4.

## CONCLUSION

Claims 1-11 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

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